

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY

OCCIDENTAL CHEMICAL  
CORPORATION,

Plaintiff,

vs.

21ST CENTURY FOX AMERICA, INC., *et al.*,

Defendants.

Civil Action No. 18-11273 (MCA)(LDW)

**ORDER OF SPECIAL MASTER  
GRANTING IN PART AND DENYING IN  
PART PLAINTIFF'S MOTION TO  
COMPEL DEFENDANTS TO PROVIDE A  
STATEMENT AND/OR PRODUCE  
RESPONSE COSTS**

**THIS MATTER** having come by way of a Motion to Compel filed by plaintiff, Occidental Chemical Corporation (“OxyChem”), on September 17, 2021, seeking an order pursuant to *Federal Rule of Civil Procedure* 37(a) compelling defendant, Small Parties Group (the “SPG”), to provide a statement setting forth whether additional documents exist that relate to the SPG’s response costs and whether any such documents are being withheld on the basis of a joint defense or other privilege (ECF No. 1866) (the “Motion”); and the Special Master having considered the parties’ submissions, and heard oral argument; and for good cause shown, as detailed in the Special Master’s written decision of same date;

**IT IS** on this 11th day of January 2022,

**ORDERED** that the Motion is **GRANTED IN PART** and **DENIED IN PART**; and it is further

**ORDERED** that the SPG is directed to, within 30 days, further respond to *Federal Rule of Civil Procedure* 34 discovery requests pertaining to response cost documents by stating whether: (1) additional response cost documents exist that have not been produced; (2) such documents are being withheld on the basis of any privilege or other protection; and (3) the SPG will be further

supplementing its document production with additional response cost documents and/or a privilege log; and it is further

**ORDERED** that any supplementation of discovery responses by the SPG must be completed within 45 days.

*/s/ Thomas P. Scrivo*  
**THOMAS P. SCRIVO**  
**Special Master**